August 14, 2007

Public Notice for Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects)

**Terra Bagnata L.L.C.,**
**Terra Bagnata Wetlands Mitigation Project**
**Sonoma County (WDID# 1B06184WNSO)**

On December 15, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. David Ripple, on behalf of Terra Bagnata LLC, requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Terra Bagnata Wetlands Mitigation Project located in Sonoma County. The proposed project causes permanent impacts to 6.58 acres of seasonal wetland within the Laguna Hydrologic Sub Unit No. 114.21.

The proposed project is located in unincorporated Sonoma County, approximately three miles southwest of downtown Santa Rosa, California, (APN. No(s). 134-051-016 and 134-051-005). The latitude and longitude is 38˚23' 53" N and -122˚ 45' 14" W. The purpose of the Terra Bagnata Wetlands Mitigation Project is to create approximately 10.24 acres of seasonal wetlands and swales, enhance approximately 6.58 acres of degraded seasonal wetland habitat, and preserve approximately 2.13 acres of high quality seasonal wetlands on the 50.18 acre project site. A 38% wetland to upland ratio will be achieved. The purpose of the mitigation program is to mitigate for development projects on the Santa Rosa Plain that impact wetlands subject to U.S. Army Corps of Engineers (Corps) jurisdiction pursuant to Section 404 of the Clean Water Act. Specifically, mitigation at the Terra Bagnata site would be to compensate for all wetlands-related impacts (including impacts to California tiger salamander (CTS) habitat) at Shamrock Materials, Inc.'s proposed facility at 290 Todd Road in Santa Rosa (Corps File No. 26861N) and Ghilotti Constructions' wetlands-related and CTS impacts that occurred on their 304 Todd Road property in Santa Rosa between 1984 and 1998 (Corps File No. 26934N). As such, this is a private project with no public banking objectives.

The Terra Bagnata site is located approximately 2 miles northwest of the Shamrock Materials, Inc. and Ghilotti Construction, Inc. properties on Todd Road. When completed, the Terra Bagnata Mitigation Project will add approximately 51 acres immediately adjacent to existing and proposed preserves, making approximately 275 contiguous acres of preservation area, helping to achieve the conservation goals stated in the *Santa Rosa Plain Conservation Strategy.* Mitigation at the Terra Bagnata site would compensate for wetlands-related impacts, including impacts to CTS habitat. The Terra Bagnata site is located within the Llano Conservation Area for the CTS as specified in the *Santa Rosa Plain Conservation Strategy* released in December 2005. Both CTS adults and larvae have been identified on the Terra Bagnata site, thus indicating that the site is suitable as estivation habitat as well as providing aquatic breeding and larval development habitat for this species. The applicant will include a CTS monitoring program for the project site to determine if created and enhanced wetland habitats support CTS larvae. Monitoring would be conducted every other spring and results would be documented and provided to the appropriate agencies.

Target vegetation for the seasonal wetlands includes hydrophytes that currently exist on the site as well as those wetland plants endemic to the Santa Rosa Plain. These plants include but are not limited to goldfields (Lasthenia glabrata), common mint (Mentha pulegium), water-starwort (Callitriche marginata), coyote thistle (Eryngium arisulatum), California semaphore grass (Pleuropogon californica), toad rush (Juncus bufonius), hyssop loosestrife (Lythrum hyssopifolia), American pillwort (Pilularia Americana), and meadow barley (Hordeum brachyantherum). To encourage active plant establishment, seeds and/or cuttings (collected in an approved manner) of the above referenced species and/or other native wetland plants will be broadcast in the constructed wetland areas in the fall following construction and prior to the onset of winter rains. In upland areas adjacent to the wetland mitigation areas, native coast live oak (Quercus agrifolia) and valley oak (Quercus lobata) will be planted. A five year monitoring plan will be implemented with an 85% survival rate of all proposed plant species in upland areas. The applicant will deed the 50.18 acre mitigation site to an agency or conservation organization dedicated to preserving open space areas.

Compensatory mitigation for the Terra Bagnata Wetlands Mitigation Project consists of a Mitigation and Monitoring Plan that has been created to offset the impacts to wetlands and monitor the success of the restoration and creation efforts. Non-compensatory mitigation measures include the use of Best Management Practices (BMPs) to be employed during construction to minimize sediment production and prevent the movement of loose soil off-site.

The success criteria for the wetlands and swales to be created and enhanced on the site are the following: 1) evidence of ponding and/or saturated soils in the wetland feature for approximately 21 consecutive days during the growing season (assuming a normal rainfall year); 2) a minimum of 80% total cover by seasonal wetland plant species in each wetland after a 5-year period. Hydrologic observations will be conducted at least once a month during the months of December through June. Vegetation analyses will occur at least three times each spring, the months will vary depending on plant phenology. “Species composition” and “species richness” indices shall be developed for all plant species found in the mitigation wetlands. For the vegetation composition analysis, an annual plant list will be made for each wetlands each year.

Special status plant surveys were conducted on March 28, April 2 and 17, May 23 and 28, and June 25, 2005. One federal and state endangered species, Sebastopol meadowfoam, and two special-status plant species that do not fall under specific federal or state regulatory authority, hayfield tarplant and Lobb’s aquatic buttercup, were observed onsite. The U.S. Army Corps of Engineers approved the wetland delineation performed by Ms. Lucy Macmillan, Wetlands Specialist, and determined that up to 4.4 acres of seasonal wetlands present on-site are considered isolated, and are therefore under the jurisdiction of the State (March 3, 2003, Corps File Number 26861N).

Best Management Practices (BMPs) will be incorporated into the final project plans in order to reduce and control soil erosion. All construction in and around waters of the state will be conducted during the dry season (April 15$^{th}$ to October 15$^{th}$), to minimize construction related impacts to hydrology and water quality.

The Terra Bagnata Wetlands Mitigation Project is scheduled to begin in Fall of 2007 and end in Fall 2008. Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Stephen Bargsten at (707) 576-2653, or at **sbargsten@waterboards.ca.gov**, or Darren Bradford at (707) 576-2466, **dbradford@waterboards.ca.gov,** within 21 days of posting of this notice.

This is a brief summary of this project; all related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Blvd., Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.

(080707_DLB_Terra_Bagnata_Wetlands_Mitigation_Project_PN.doc)